

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

*2024-cv-09743*

Lucio Celli,

Plaintiff,

v.

New York City et al,

Defendant

PLAINTIFF’S MOTION FOR JUDICIAL NOTICE of Pettit’s automated email AND **REQUEST FOR REFERRAL UNDER 28 U.S.C. § 535** due to CRIMINAL REFERRAL **UNDER 18 U.S.C. § 201** for Lehrburger and 18 USC § 371 for Cronan w/ Lehrburger for attempting to **conceal evidence** needed against **Engelmayer’s impeachment inquiry** and needed for Pres. Trump and Congress to **reinvestigate Engelmayer’s decision** as it came from Schumer—like the 6 years of crimes for Randi Weingarten from Schumer

**INTRODUCTION**

Plaintiff Lucio Celli, acting pro se, respectfully moves this Court to:

1. Take judicial notice of the automated e-mail acknowledgment from the U.S. Department of Justice Office of Legal Counsel (“OLC”), attached hereto as Exhibit A, confirming receipt of Plaintiff’s communication regarding alleged misconduct by federal judges for Engelmayer’s current impeachment inquiry and them concealing the truth that Engelmayer’s decision is from Kingpin Schumer

I am HIV drug resistance due to Schumer and his Judicial Cartel, which was done for Randi Weingarten and the UFT

2. Invoke 28 U.S.C. § 535 to request AG Bondi and the FBI to investigate the Chief Judge of the Second Circuit immediately
3. AG Bondi and the FBI to investigate To Magistrate Judge Robert D. Lehrburger and Judge John P. Cronan for criminal misconduct, based on suppression of evidence that their adverse rulings were motivated by corrupt self-interest (to “keep his job”) and conspiratorial protection of Chief Judge Debra Ann Livingston, who colluded with Randi Weingarten, Senator Chuck Schumer, and Judge Paul Engelmayer in a scheme to cover up political bias and improper influence.
4. Lehrburger and Cronan know that their suppression is meant to protect how the Schumer’s Cartel –are his soldiers against his allies (Randi and the UFT) and people he opposes—like Pres Trump
5. Trump was correct to claim Schumer interfered in his state case, as the Kingpin used his old friend Judge Frank for Randi in state court
6. I found a few federal judges who are Schumer’s judicial solders—that I have not encountered but Trump has—just saying—their ruling need to be reviewed under the Lense of Schumer’s Cartel

3. Refer Magistrate Judge Lehrburger and Judge Cronan to the United States Attorney's Office for the Southern District of New York for potential prosecution under 18 U.S.C. § 201 (Bribery of Public Officials Lehrburger) and Judge Cronan under 18 USC § 371.

These steps are necessary to preserve the integrity of judicial proceedings and prevent further deprivation of Plaintiff's constitutional rights.

### **FACTUAL BACKGROUND**

**1. Magistrate entered**--Plaintiff submitted a detailed letter—including audio recordings and documentary evidence, alleging that Magistrate Judge Lehrburger issued an adverse ruling solely to secure his reappointment, in violation of 18 U.S.C. § 201. These emails which is on the docket now automatically acknowledged that Lehrburger refused to credit any of my evidence that –if true by AUSAs (Cronan at the time or Gold) will be sent to OLC because it was intention to misuse his office to maintain his position.

**2.** Evidence demonstrates that Judge Cronan has participated in a coordinated effort—together with Chief Judge Livingston—to shield Judge Lehrburger and Judge Engelmayer from accountability for political bias. This conspiracy was itself designed to protect Chief Judge Livingston's own reputation, given her direct communications with Randi Weingarten and Senator Schumer regarding these cases.

**3.** Judge Paul Engelmayer, currently subject to an impeachment inquiry in the Second Circuit for political favoritism, has colluded with Randi Weingarten and Senator Schumer to influence case outcomes in Plaintiff's litigation. Judge Cronan and Magistrate Judge Lehrburger have knowingly aided and abetted this political influence by issuing rulings that ignore critical audio evidence, thereby perpetuating a cover-up.

**Please Take Notice**—the evidence is needed to show Engelmayer's misuse of office

**Please take FURTHER Notice**—Congress and Pres Trump are being denied the truth of Engelmayer's was told to him by Schumer

Schumer needs to be investigated under 28 USC § 535

## ARGUMENT

### I. Judicial Notice of the Automated E-Mail (Fed. R. Evid. 201)

Under Federal Rule of Evidence 201, this Court “must take judicial notice if a party requests it and the court is supplied with the necessary information.” A fact is “not subject to reasonable dispute” if it is “capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned.” Fed. R. Evid. 201(b)(2).

Here, the automated acknowledgment from the DOJ Office of Legal Counsel (Exhibit A) is exactly the sort of record whose authenticity cannot reasonably be questioned. It is:

A contemporaneous electronic communication generated by OLC’s official e-mail system;  
Self-authenticating under Fed. R. Evid. 902(6) (certified records); and

\*Directly relevant to show that Plaintiff timely alerted OLC to suspected judicial corruption.

Accordingly, Plaintiff requests that the Court take judicial notice of Exhibit A and incorporate its contents into the record.

### II. Referral Under 28 U.S.C. § 535

28 U.S.C. § 535(a) provides, in relevant part:

**(a)**The Attorney General and the Federal Bureau of Investigation may investigate any violation of Federal criminal law involving Government officers and employees—**(1)**notwithstanding any other provision of law; and **(2)**without limiting the authority to investigate any matter which is conferred on them or on a department or agency of the Government. **(b)**Any information, allegation, matter, or complaint witnessed, discovered, or received in a department or agency of the executive branch of the Government relating to violations of Federal criminal law involving Government officers and employees shall be expeditiously reported to the Attorney General by the head of the department or agency, or the witness, discoverer, or recipient, as appropriate, unless—

(1) the responsibility to perform an investigation with respect thereto is specifically assigned otherwise by another provision of law; or

(2) as to any department or agency of the Government, the Attorney General directs otherwise with respect to a specified class of information, allegation, or complaint.

- I have repeatedly informed judges to come and play and present my evidence and whiteness—it was ignored and Office Cudina informed me that Chief Judge Livingston told everyone that I am lying and not mentally well. I am not mentally well, but that does not negate evidence that I have to present
- The evidence is needed for Engelmayer’s current impeachment inquiry
- Plaintiff seeks formal notification to the Chief Judge of the Second Circuit and its Judicial Council that Magistrate Judge Lehrburger and Judge Cronan have engaged in—or knowingly acquiesced to—a conspiracy to protect Chief Judge Livingston’s political payoff arrangement with Randi Weingarten and Senator Schumer.
- I did receive an email from the DOJ to complain to the FBI—it an email address that is attached to a name but an office within the DOJ
- AUSA Pettit –is kind like Pres Trump’s counsel, if my understanding is correct— is for sure under AG Bondi—so, she is required to inform the AG

#### A. Magistrate Judge Lehrburger’s Misconduct

Magistrate Judge Lehrburger issued an adverse ruling all—neglecting audio evidence that **conclusively demonstrates a quid pro quo**: against Plaintiff’s interests, he acted to curry political favor with local power brokers (Weingarten/Schumer) and thereby secure his continued appointment.<sup>[^1]</sup> Such conduct describes a violation of the Code of Conduct for United States Judges (Canon 2: “A Judge Should Avoid Impropriety and the Appearance of Impropriety in All Activities”) and Canon 3(D)(2) (“A judge should be vigilant to ensure that others subject to the judge’s direction do not engage in efforts to influence the outcome of a matter before the court”).

- Livingston and Engelmayer said that they will ensure his orders are not enforced to protect Randi
- Livingston said that she will ensure that I will not get any remedy, like future harm
- Livingston hopes that no pill is created in time
- This was said to me by Officer Cudina in May of 2024 and Lehrburger excluded them from testifying and did not place

### B. Judge John P. Cronan's Complicity

Judge Cronan has repeatedly declined to address Plaintiff's underlying claims of audio-recorded misconduct, instead affirming decisions that omit any factual findings—thereby enabling Chief Judge Livingston's cover-up. This pattern of willful blindness and coordinated decision-making satisfies “complicity” under Canon 2 and Canon 3(D).

### C. Chief Judge Debra Ann Livingston's Role

Chief Judge Livingston has conspired with Senator Schumer and Randi Weingarten to shield Judge Engelmayer—who faces an impeachment inquiry for political bias—from judicial scrutiny. Under 28 U.S.C. § 535, once this Court identifies credible allegations that Magistrate Judge Lehrburger or Judge Cronan have violated judicial ethics, it must “report to the Judicial Council” for investigation.

### III. Criminal Referral Under 18 U.S.C. § 201—Cronan cannot ignore this crime, as Lehrburger said this is frivolous but he needs to keep his job

18 U.S.C. § 201(b)(2) makes it a crime for a public official to “directly or indirectly, corruptly give, offer, or promise anything of value to any public official ... for or because of any official act performed or to be performed by such public official . . .” Likewise, § 201(c)(2) criminalizes a public official's acceptance of “any thing of value” in exchange for an official act.

#### A. Lehrburger's Bribery

By issuing an adverse ruling that disregarded persuasive audio evidence, Magistrate Judge Lehrburger effectively “gifted” favorable outcomes to Randi Weingarten's interests—thereby ensuring his own political viability (i.e., reappointment). That quid pro quo is textbook bribery: he accepted the “thing of value” (continuation on the bench) in exchange for an “official act” (issuing a ruling). See *United States v. Sun-Diamond Growers*, 526 U.S. 398, 404–05 (1999) (holding that a judge or public official who is “aware of and accepts” a thing of value to influence an official action violates § 201).

#### B. Cronan's Bribery/Conspiracy

Judge Cronan's participation in upholding Judge Lehrburger's ruling—despite clear evidence of self-interest—constitutes knowing facilitation of that bribery scheme. Under § 201(a)'s definition of “scheme or artifice to defraud,” Cronan's conduct falls within the bribery statute's sweep.

C. Livingston's Conspiracy to Obstruct Justice

Chief Judge Livingston's coordination with Randi Weingarten and Senator Schumer to protect Judge Engelmayer's political interests further compounds the criminality. Although Livingston is not the direct target of this motion, her actions establish the broader conspiracy that renders both Lehrburger and Cronan subject to prosecution under § 201(c) (co-conspirator liability).

**IV. Relief Requested**

For these reasons, Plaintiff respectfully requests that the Court:

1. Take judicial notice of Exhibit A (automated OLC e-mail).
2. Promptly report Magistrate Judge Stewart D. Lehrburger and Judge John P. Cronan to the Chief Judge of the Second Circuit under 28 U.S.C. § 535 for their clear violations of judicial ethics and misconduct, including bribery and conspiracy.
3. Refer Magistrate Judge Robert Lehrburger under 18 U.S.C. § 201 and Judge John P. Cronan with Lehrburger to the United States Attorney for the Southern District of New York for investigation and prosecution under 18 U.S.C. § 371 to suppress evidence needed for Engelmayer's political bias impeachment inquiry.

**I am HIV drug resistance because of Livingston's, Engelmayer's and other Cartel members for their misuse of their offices, as Judicial soldiers for Kingpin Schumer**

### **CONCLUSION**

Plaintiff has presented unrebutted documentary evidence (Exhibit A) demonstrating that he notified OLC of judicial corruption on Judge Lehrburger and Judge Cronan have each engaged in—or knowingly ignored—bribery and conspiratorial conduct to protect Chief Judge Livingston’s collusion with Randi Weingarten and Senator Schumer. Under Fed. R. Evid. 201, 28 U.S.C. § 535, and 18 U.S.C. § 201, the Court must act now to uphold the rule of law.

Respectfully submitted,

Dated: June 1, 2025

Exhibit A:\*\* Automated e-mail receipt from U.S. Department of Justice Office of Legal Counsel (

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[^1]: Canon 3(D)(2) of the Code of Conduct for United States Judges provides that a judge must not “convey or permit others to convey the impression that they are in a special position to influence the judge.” Issuing a ruling motivated by fear of losing reappointment undeniably conveys such an impression.

/s/ Lucio Celli  
Respectfully submitted,  
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## Certificate of Service

I hereby certify that on [Date], a copy of the foregoing Motion to [Specify Relief Sought] was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

[Attorney's Name]